

FILED
JAMES DOMINI
CLERK

IN THE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

04 MAR 10 PM 2:45

AUDLEY CASANOVA,
Plaintiff,

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:
:

: Case No. 1:00-cv-579

PAUL BYERS,
Defendant,

:
:
:

**DEFENDANT'S RESPONSE TO PLAINTIFF'S OBJECTIONS TO
MAGISTRATE'S REPORT AND RECOMMENDATION**

COMES NOW, Paul Byers, and responds to Plaintiff's objections to the Magistrate's Report and Recommendation:

Plaintiff claims that "section three (3), entitle (sic) "Fraud", does not have a one year time limit.

Under Rule 60(b) of the Federal Rules of Civil Procedure:

...The motion shall be made within a reasonable time, and for reasons (1), (2), **and (3)** not more than one year after the judgment.

(emphasis added).

WHEREFORE, Defendant, Paul Byers, prays that the Magistrate's Report and Recommendation be followed.

Respectfully submitted,

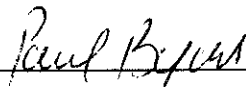
Paul Byers

original

Paul Byers
310 Ezzard Charles Dr.
Cincinnati, OH 45214

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing has been sent via first class mail, with sufficient postage affixed, on this the 9th day of March, 2004, to Audley Casanova, #18131-057, 2680 HWY 301, South, Jesup, GA 31599.



Paul Byers, Defendant